

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANDREW TORO,

Plaintiff(s),

v.

LOONEY LABORATORIES, INC.,

Defendant(s).

22 Civ. 8646 (DEH)

ORDER

DALE E. HO, United States District Judge:

An order issued October 26, 2023, scheduled an initial pretrial conference in this matter for January 10, 2024, and required the parties to file a joint status letter and proposed case management plan by January 3, 2024. *See* Dkt. No. 5. No such materials were filed. A second order issued October 26, 2023, referred the parties for mediation through the S.D.N.Y. Mediation Program, on request of the parties. *See* Dkt. No. 13. On December 13, 2023, the District's Mediation program informed the Court that court-ordered mediation was not held as one or both parties failed, refused to attend, or refused to participate in the mediation. *See* Dkt. No. 14. A third order issued October 26, 2023, warned the parties that due to the procedural history of this case, failure to comply with deadlines or to diligently participate in mediation may result in dismissal for failure to prosecute. *See* Dkt. No. 12.

It is hereby **ORDERED** that the parties shall file the required joint status letter and proposed case management plan as soon as possible and no later than **January 5, 2024**. The parties are warned that failure to comply with Court orders may result in sanctions, including dismissal for failure to prosecute.

SO ORDERED.

Dated: January 4, 2024
New York, New York



DALE E. HO
United States District Judge